

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill by striking out the emergency preamble.

Amend the bill in section 1 in subsection 1 in paragraph B in the 3rd and 4th lines (page 1, lines 22 and 23 in L.D.) by striking out the following: "~~commission~~New England independent system operator or successor organization." and inserting the following: 'commission.'

Amend the bill in section 1 in subsection 1 in paragraph E in the 2nd line (page 2, line 2 in L.D.) by inserting after the following: "except" the following: 'the maximum total power production capacity limit of 100 megawatts under section 3210, subsection 2, paragraph C does not apply and'

Amend the bill by striking out section 2 and inserting the following:

**‘Sec. 2. 35-A MRSA §3210-C, sub-§3,** as enacted by PL 2005, c. 677, Pt. C, §1, is amended to read:

**3. Commission authority.** The commission may direct large investor-owned transmission and distribution utilities to enter into long-term contracts for:

A. Capacity resources; and

B. Any available energy associated with capacity resources contracted under paragraph A:

(1) To the extent necessary to fulfill the policy of subsection 2, paragraph A; or

(2) If the commission determines appropriate for purposes of supplying or lowering the cost of standard-offer service pursuant to section 3212. ~~If contracts are entered into~~Available energy contracted pursuant to this subparagraph, the contracts must be treated as standard-offer service contracts pursuant to section 3212may be sold into the wholesale electricity market in conjunction with solicitations for standard-offer supply bids.

The commission may direct large investor-owned transmission and distribution utilities to enter into contracts under this subsection only as agents for their customers and only in accordance with this section. To the greatest extent possible, the commission shall develop procedures having the same legal and financial effect as the procedures used for standard-offer service pursuant to section 3212 for large investor-owned transmission and distribution utilities.

The commission may enter into contracts for interruptible, demand response or energy efficiency capacity resources. These contracts are not subject to the rules of the State Purchasing Agent.

Capacity resources contracted under this subsection may not exceed the amount necessary to ensure the reliability of the electric grid of this State or to lower customer costs as determined by the commission pursuant to rules adopted under subsection 10.

Unless the commission determines the public interest requires otherwise, a capacity resource may not be contracted under this subsection unless the commission determines that the capacity resource is recognized as a capacity resource for purposes of any regional or federal capacity requirements.'

Amend the bill in section 4 by striking out all of subsection 7 and inserting the following:

**'7. Disposition of resources.** A large investor-owned transmission and distribution utility shall sell capacity resources and energy purchased pursuant to subsection 3 or take other action relative to such capacity resources and energy as directed by the commission.'

Amend the bill by striking out the emergency clause.

## SUMMARY

This amendment is the majority report of the committee. The amendment eliminates the provisions in the bill that would authorize the Public Utilities Commission to direct large investor-owned transmission and distribution utilities to enter into long-term contracts for ancillary services and renewable energy credits associated with capacity resources and to enter into long-term contracts on a wholesale basis. The amendment also adds language to revise the definition of "renewable capacity resource" and removes language in the bill in order to preserve the definition of "interruptible, demand response or energy efficiency capacity resource" as it exists in current law. Finally, the amendment removes the emergency preamble and emergency clause from the bill.